



07/976965
UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/976,965	11/16/92	MCCARTHY	P MCY-06/KLG

EXAMINER
TRAN, K

KURT L. GROSSMAN
WOOD, HERRON & EVANS
2700 CAREW TOWER
CINCINNATI, OH 45202

23M1

ART UNIT	PAPER NUMBER
2311	3

DATE MAILED: 03/04/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1 - 13 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1 - 13 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed 11/16/92, has been approved; disapproved (see explanation).

12. Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

Serial No. 07/976965
Art Unit 2311

-2-

#3

1. Claims 1-7 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1, 3, 6⁸ and 9 of copending application Serial No. 07/797,401. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

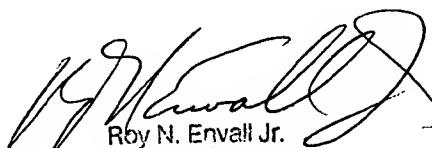
2. Claims 8-13 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 14, 16, 19, 21 and 22 of copending application Serial No. 07/797,401. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai Tran whose telephone number is (703) 305-9776.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

kt
Tran, K

Feb 26, 1993



Roy N. Envall Jr.
Supervisory
Patent Examiner
Group 2300